UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Cause No. 1:10CV00183 HEA

APPROXIMATELY 330 ACRES KNOWN AS CAP ZOE LOCATED IN SHANNON COUNTY, Missouri, and Further described as follows:

Approximately 330 acres described as: The West Half of the Northeast Quarter; the East Half of the Northwest Quarter; the East Half of the West Half of the Northwest Quarter; the East Half of the Southwest Quarter; the East Half of the Northwest Quarter of the Southwest Quarter; the North Half of the Southwest Quarter of the Southwest Quarter; the Southeast Quarter of the Southwest Quarter of the Southwest Quarter; all in Section 8 Township 30 North, Range 4 West, Shannon County, Missouri.

with all appurtenances improvements and fixtures thereon,

Defendant.

VERIFIED CLAIM OF SELECT PORTFOLIO SERVICING, INC.

COMES NOW Select Portfolio Servicing, Inc. ("Claimant"), and pursuant to 18 U.S.C. § 985 and Rule G of the Supplemental Rules to the Federal Rules of Civil Procedure, hereby files its claim to the property sought to be forfeited, and in support thereof, states as follows:

1. Claimant is a corporation organized under the laws of the State of Utah and is qualified to do business as a foreign corporation under the laws of the State of Missouri.

2. PNC Bank, NA ("Bank") is the current holder of a certain note secured by a deed of trust encumbering some or all of the property described in plaintiff's Complaint (the "Property").

3. Claimant is the attorney-in-fact and loan servicer for Bank and is therefore a proper party to make this verified claim.

4. Claimant asserts an interest in some or all of the Property sought to be forfeited in this action in that Bank holds a first in priority and perfected deed of trust encumbering the Property to secure a certain promissory note dated April 9, 2004 executed by James Tebeau ("Borrower").

5. Said promissory note has been in default since November 1, 2010 when Borrower failed to make the scheduled monthly installment payment which is due on the first of each month until the loan reaches maturity on May 15, 2034.

6. As of January 5, 2011, the unpaid principal was $376,596.14; interest accrued in the amount of $3,308.48; and late fees had been assessed in the amount of $475.32 for a total amount of $380,379.94. Interest continues to accrue at a per annum rate of 3.375%.

7. Claimant objects to the forfeiture and condemnation of the Property sought to be forfeited for the reason Bank has a prior and perfected security interest in the Property.

VERIFICATION

I, Mindy C. Leetham, of Select Portfolio Servicing, Inc., agent and attorney-in-fact for PNC Bank, NA, hereby verify and swear under penalty of perjury that the above facts are true and correct.

Mindy C Leetham

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

Before me appeared the above individual who being first duly sworn, stated the above facts are true and correct on this 21st day of January, 2011.

NOTARY PUBLIC
ELLE NELSON
3815 South West Temple
Salt Lake City, Utah 84115
My Commission Expires
May 30, 2011
STATE OF UTAH

Elle Nelson
Notary Public Elle Nelson
My Commission Expires: May 30, 2011

SANDBERG PHOENIX & von GONTARD P.C.

By: /s/ Timothy O'Leary
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Attorneys for Select Portfolio Services, Inc.,

Certificate of Service

I hereby certify that on the 21st day of January, 2011, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

Julia M. Wright
Assistant United States Attorney
c/o Janet Gum
Asset Forfeiture Specialist
U. S. Attorney's Office
111 South Tenth Street, 20th Floor
St. Louis, MO 63102

/s/ Timothy O'Leary